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8 **BEFORE THE**
9 **BOARD OF REGISTERED NURSING**
10 **DEPARTMENT OF CONSUMER AFFAIRS**
11 **STATE OF CALIFORNIA**

12 In the Matter of the Accusation Against:

Case No. 2012-95

13 **LISA MARIE GINTHER**
2504 Purvis Avenue
14 Clovis, CA 93611
Registered Nurse License No. 570361

A C C U S A T I O N

15 Respondent.

16 Complainant alleges:

17 **PARTIES**

18 1. Louise R. Bailey, M.Ed., RN ("Complainant") brings this Accusation solely in her
19 official capacity as the Executive Officer of the Board of Registered Nursing ("Board"),
20 Department of Consumer Affairs.

21 2. On or about August 15, 2000, the Board issued Registered Nurse License Number
22 570361 to Lisa Marie Ginther ("Respondent"). Respondent's registered nurse license was in full
23 force and effect at all times relevant to the charges brought herein and will expire on March 31,
24 2012, unless renewed.

25 **STATUTORY AND REGULATORY PROVISIONS**

26 3. Business and Professions Code ("Code") section 2750 provides, in pertinent part, that
27 the Board may discipline any licensee for any reason provided in Article 3 (commencing with
28 section 2750) of the Nursing Practice Act.

1 myocardial infarction. Coumadin interferes with blood clotting by lowering the liver's production
2 of certain clotting factors.

3 10. Prothrombin time (PT) is a blood test used to assess the clotting ability of blood; i.e.,
4 how long it takes for blood to clot. The PT test is also used to monitor the condition of patients
5 who are taking warfarin.

6 11. International Normalized Ratio (INR) is a laboratory test used to determine the
7 comparative rating of a patient's PT ratio, used as a standard for monitoring the effects of
8 warfarin.

9 **FIRST CAUSE FOR DISCIPLINE**

10 **(Gross Negligence)**

11 12. At all times relevant herein, Respondent was employed as a registered nurse for
12 Clovis Community Medical Center located in Clovis, California.

13 13. On or about September 26, 2008, patient D. L. was admitted to the medical center
14 with acute shortness of breath due to chronic obstructive pulmonary disease, rule out congestive
15 heart failure, rule out pneumonia.

16 14. On or about September 27, 2008, Dr. S. S. ordered Coumadin 5 mg for the patient to
17 be given by mouth every "HS" (hour of sleep or 2100 hours as set forth in the medical center's
18 policies and procedures). At approximately 2100 hours that same day, Respondent administered
19 Coumadin 5 mg to the patient. Between September 27 and October 8, 2008, the Coumadin was
20 administered by various nurses as ordered. D.L. subsequently died on October 9, 2008 from an
21 intracerebral hemorrhage.

22 15. Respondent is subject to disciplinary action pursuant to Code section 2761,
23 subdivision (a)(1), on the grounds of unprofessional conduct, in that on or about September 27,
24 2008, Respondent committed acts constituting gross negligence in her care of patient D. L. as
25 defined in Regulation 1442, as follows:

26 a. Respondent administered Coumadin to the patient without assessing lab values, PT
27 and INR, to determine if the patient was below, above, or within the target therapeutic range
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1 and/or failed to question why PT and INR laboratory studies were not present in the patient's
2 chart and/or ordered by the patient's physician.

3 b. Respondent administered Coumadin to the patient without questioning the physician's
4 orders even though the patient was concurrently receiving other medications, including aspirin,
5 which could significantly potentiate the anticoagulant effect of Coumadin.

6 **SECOND CAUSE FOR DISCIPLINE**

7 **(Incompetence)**

8 16. Complainant incorporates by reference as though fully set forth herein the allegations
9 contained in paragraphs 12 through 14 above.

10 17. Respondent is subject to disciplinary action pursuant to Code section 2761,
11 subdivision (a)(1), on the grounds of unprofessional conduct, in that on or about September 27,
12 2008, Respondent committed acts constituting incompetence in her care of patient D. L. as
13 defined in Regulation 1443, as follows:

14 a. Respondent administered Coumadin to the patient without assessing lab values, PT
15 and INR, to determine if the patient was below, above, or within the target therapeutic range,
16 and/or failed to question why PT and INR laboratory studies were not present in the patient's
17 chart and/or ordered by the patient's physician even though Respondent knew of the bleeding
18 risks inherent in Coumadin administration.

19 b. Respondent failed to provide education to the patient on the drug/drug and
20 drug/nutrient interactions when administering the Coumadin.

21 **THIRD CAUSE FOR DISCIPLINE**

22 **Unprofessional Conduct**

23 18. Complainant incorporates by reference as though fully set forth herein the allegations
24 contained in paragraphs 12 through 14 above.

25 19. Respondent is subject to disciplinary action pursuant to Code section 2761,
26 subdivision (a), in that on or about September 27, 2008, Respondent committed acts constituting
27 unprofessional conduct, as set forth in paragraphs 15 and 17 above.

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PRAYER

WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged, and that following the hearing, the Board of Registered Nursing issue a decision:

1. Revoking or suspending Registered Nurse License Number 570361, issued to Lisa Marie Ginther;
2. Ordering Lisa Marie Ginther to pay the Board of Registered Nursing the reasonable costs of the investigation and enforcement of this case, pursuant to Business and Professions Code section 125.3;
3. Taking such other and further action as deemed necessary and proper.

DATED: August 11, 2011

Louise R. Bailey
LOUISE R. BAILEY, M.ED., RN
Executive Officer
Board of Registered Nursing
Department of Consumer Affairs
State of California
Complainant

SA2010103012